

**MINUTES: 3/27/23 ATODS - ALCOHOL, TOBACCO, OTHER DRUGS TASK FORCE
12 - 1 PM**

**Public Health Conference Room
Online on Zoom**

Present:

Robin Carnes, Public Health

Stephanie Lund, WY Dept of Health regional supervisor

Deputy Lyndy Guenther, Sublette Sheriff's Office; SRO, Sublette School District #1 SRO

Darren Hull, Business and event planner

Aaron Preece, Counselor, High Country Behavioral Health

Kaisha Simpson, DFS caseworker

Janna Lee, Public Health

Trisha Scott, Coalition Coordinator

Notes:

Discussion on tobacco/vape prevention and interventions: Task force members working with youth reported that the fine for MIP for tobacco is insignificant and does not deter kids from vaping or even deter them from getting caught.

Possible meaningful strategies to pursue: Support state level strategies of increasing taxes on tobacco products and raising the fine for MIP. Stephanie Sprenger from the County Attorney's office and Trisha have been attending a statewide Tobacco Community of Practice group discussion. That group is made up of CPS's and diversion providers who teach quit tobacco groups and tobacco interventions. That group is concerned that there is not enough parent involvement in MIPs to make the MIP consequences effective.

Deputy Guenther reported she would like to focus on getting a tobacco free policy at Sub 1 similar to Sub 9. Deputy Guenther will share Sub 9 policy with Sub 1 admin.

Members suggested that educating elementary kids on peer pressure at the elementary level, may be an effective strategy.

"What is peer pressure?" "How does it work?" How do you know when you are being pressured by peers?"

Broad discussion on media: Task force members reported that our locally produced Talk They Hear You underage drinking prevention media is "not being seen". "Media needs to have the ability to 'go viral'".

Some present advised that we pay facebook to boost posts. Some commented that facebook is for old people.

Some commented broad media campaigns like Talk They Hear You should be produced at the state level so we are not spending local grant dollars producing media campaigns. We can keep local media dollars to promote events and trainings and things like the quitline and 988 that fit into our workplan.

No decisions were made at this meeting.

Delta-8 and the DEA: The DEA recently issued a decision on Delta-8 being a Schedule 1 controlled substance IF it is proven to be synthetically derived and does not contain natural hemp.

Ashley Schluck, Traffic Safety Resource Prosecutor - Wyoming Highway Safety
City of Laramie Attorney's Office was asked to clarify what this means. Here is her reply:

----- Forwarded message -----

From: **Ashley Schluck** <aschluck@cityoflaramie.org>

Date: Wed, Apr 5, 2023, 11:11 AM

Subject: Re: Delta 8, 9 and 10

To: Tracy Young <communityisprevention@gmail.com>

The DEA opinion references Delta-9-THC-O (Delta-9-THC acetate ester) and Delta-8-THC- (Delta-8-THC acetate ester), these two chemicals are not necessarily what is being sold and produced in the smoke/head shops. I say not necessarily, because even though it probably is what is being sold we do not currently have a way of knowing or testing to see if it is what is actually being sold. Delta-9-THC (without the acetate ester) is naturally occurring in the cannabis plant while Delta-8-THC (without the acetate ester) is naturally occurring in the hemp plant; these two things are different than what is being reference in the DEA letter. THC-O (that which is being referenced in the DEA letter) is an entirely synthetic product created after Delta-8 is extracted...which could occur from the natural plant (likely not) or the hemp-derived version. The Delta-8 is further processed by adding a chemical compound known as acetic anhydride (hence synthesized or synthetic).

The vast majority of labs (including our own lab in Wyoming) cannot distinguish natural hemp-derived products and these synthetically derived cannabis products. Because most labs can't tell the difference (right now), and even though we strongly suspect these Delta-8 products are in fact synthetically derived products and not naturally occurring products, we cannot prove they aren't naturally occurring and therefore not legal. The Farm Bill currently allows for the sale of naturally occurring hemp products such as Delta-8; it does not allow for synthetically derived products. If, however, we can't prove which is synthetically derived and what is naturally occurring our hands are tied when trying to enforce the sale of illegitimate product because we can't say it is not legitimate product.

As such, while we suspect most, if not all, of these products are synthetically derived because it would take an absorbent amount of hemp to produce just a small amount of Delta-8 product until we can test for the difference between the two it is difficult to enforce until the State either bans the products through legislation or we have testing which can demonstrate it is synthetically derived.

I hope this answers the question. It's a complicated subject and the industry has definitely found the work around. I do know there is a group currently trying to push the US Congress to

fix this loophole caused by the Farm Bill, but fixing this through Congress could be a much slower process than fixing this through the Wyoming legislature.

Please let me know if you have any additional questions or you need further clarification.

Ashley Schluck

Traffic Safety Resource Prosecutor - Wyoming Highway Safety

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